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ESSAY

LEGAL TALES FROM GILLIGAN'S ISLAND

Robert M. Jarvis*

I. INTRODUCTION

Gilligan's Island, a 1960s comedy, ranks among the most influential television shows of all time. Despite the fact that the last original episode aired thirty years ago, the show is more popular now than when it first appeared. Each day, reruns bring the characters back to life, and it is claimed that the show has been presented more often than any other television comedy.¹

Although the series has been the subject of numerous studies, its legal facets are almost never mentioned.² As a result, even the show's most ardent fans are rarely mindful of just how much law appeared in the series. Accordingly, this

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1. SHERWOOD SCHWARTZ, *INSIDE GILLIGAN'S ISLAND* at xv (ed. rev. 1994) ("The episodes of *Gilligan's Island* have been repeated more often in more places than any other television series in history . . . even more than *I Love Lucy*."). See also JIM & HENNY BACKUS, *FORGIVE US OUR DIGRESSIONS: AN AUTOBIOGRAPHY* 188 (1988) ("*Gilligan's Island* . . . is the most replayed comedy show in the history of television.").

2. A number of these treatments have been scholarly in nature. See SCHWARTZ, *supra* note 1, at 167-68 for comments on the fact that academicians often insist—wrongly—that the show's real purpose was to promote the benefits of socialism or communism. But see RUSSELL JOHNSON & STEVE COX, *HERE ON GILLIGAN'S ISLE* 16 (1993) (questioning the value of such extrapolations).

essay seeks to shed some light on the jurisprudence of *Gilligan's Island*.

II. "A THREE HOUR TOUR"

Most people assume that *Gilligan's Island* was based on either Daniel Defoe's *Robinson Crusoe* or Johann Wyss' *Swiss Family Robinson*. In fact, the show owes its existence to neither of these classics. While an undergraduate at New York University, Sherwood Schwartz, the show's creator, had been asked in a public speaking class to give an impromptu speech on the following topic: "If you were alone on a desert island, what one thing would you like to have?"³ Fascinated for years by this intriguing question, in 1963 Schwartz finally got to use it as the basis for a television pilot.⁴

As the pilot's script explained, a small charter boat known as the *S.S. Minnow* left Honolulu on a three hour tour, ran into a terrible storm and, after almost sinking, washed ashore on an uncharted desert island somewhere in the South Pacific.⁵ As viewers would soon learn, there was both good and bad news: although the ship's two crewmembers and five passengers had survived the ordeal, the boat itself was damaged beyond repair.⁶

As would be true in the series, the star of the pilot was Willy Gilligan, the ship's reed-thin first mate.⁷ Although ex-

3. SCHWARTZ, *supra* note 1, at 12-13.

4. *Id.* at 13.

5. SYLVIA STODDARD, TV TREASURES: A COMPANION GUIDE TO GILLIGAN'S ISLAND 13-18 (1996).

Although the series never revealed the exact location of the island, many clues as to its whereabouts were given. In Episode 18, entitled "X Marks the Spot," for example, viewers were informed that the Pentagon had decided to test a new warhead just above the equator at 140 degrees latitude and 10 degrees longitude. Not surprisingly, "ground zero" was the island. *Id.* at 74-75. Based on these coordinates, the island was situated at a point equidistant between Mexico City and Hilo, Hawaii. *Id.* Later, in Episode 96, entitled "The Pigeon," the island was described as being "three hundred miles southeast of Honolulu." *Id.* at 300. For a further discussion of the island's location, as well as maps showing its boundaries and terrain, see JOEY GREEN, THE UNOFFICIAL GILLIGAN'S ISLAND HANDBOOK: A CASTAWAY'S COMPANION TO THE LONGEST-RUNNING SHIPWRECK IN TELEVISION HISTORY 59, 65-66 (1988).

6. STODDARD, *supra* note 5, at 16-18.

7. Because Gilligan's first name was never used in any of the show's episodes, most of the public still does not realize that he had one. JOHNSON & COX, *supra* note 2, at 18. Gilligan's last name was picked out of a Los Angeles phone book after a search that lasted three weeks, and was chosen because it "was amusing enough to indicate a comedy series and acceptable enough to

tremely likeable and well-meaning, Gilligan was the classic bumbler, forever breaking things, causing other people to have accidents and generally getting under foot. This trait figured prominently in many of the show's episodes, as Gilligan would unintentionally ruin the castaways' rescue plans.⁸ In his presentation to CBS, Schwartz had explained, "Every week Gilligan manages to snatch defeat from the very jaws of victory."⁹

The other crewman was the ship's portly captain, named Jonas Grumby.¹⁰ Throughout the series Grumby would be referred to as the Skipper.¹¹ Physically, the two men were exact opposites, and resembled such earlier comedic duos as Laurel and Hardy and Abbott and Costello.¹²

The passengers consisted of millionaire Thurston Howell III, his socialite wife Eunice Wentworth ("Lovey") Howell, and three others: Ginger Grant, a "B" movie star; Dr. Roy Hinkley, better known as the Professor, a high school science teacher; and Bunny, the typical girl next door.¹³ Just before the series premiered, Bunny's name was changed to Mary Ann Summers.¹⁴ These five characters had been carefully selected by Schwartz to create (along with Gilligan and the Skipper) a "social microcosm."¹⁵

avoid burlesque." SCHWARTZ, *supra* note 1, at 16. See also GREEN, *supra* note 5, at 3, 25.

8. In all, Gilligan spoiled 16 different rescue attempts. GREEN, *supra* note 5, at 29. Gilligan's clumsiness, of course, did have one redeeming virtue: by keeping the castaways from being rescued, the series was able to continue the following week.

The author of a recent book has suggested that all of us have an "Inner Gilligan," a side of our personality that unintentionally dashes the dreams and hopes of those around us. See WILL MILLER, *WHY WE WATCH: KILLING THE GILLIGAN WITHIN* 63-66 (1996). This same author further posits that we each have an "Inner Skipper," another side of our personality that seeks to retaliate against the "Inner Gilligan" of others. See *id.*

9. SCHWARTZ, *supra* note 1, at 2.

10. STODDARD, *supra* note 5, at 38.

11. DAWN WELLS ET AL., *MARY ANN'S GILLIGAN'S ISLAND COOKBOOK* 80 (1994).

12. SCHWARTZ, *supra* note 1, at 14-15.

13. Given his affluence, Mr. Howell's presence on the ramshackle *Minnow* was often criticized as unbelievable. Discerning observers, however, considered it a manifestation of his penchant for the unusual: "Of course, Howell had gone on some inexplicable outings well before the cruise; he once went tiger hunting in a zoo, and while on safari in Africa, he accidentally trapped four of his native guides." GREEN, *supra* note 5, at 35.

14. STODDARD, *supra* note 5, at 9, 13.

15. SCHWARTZ, *supra* note 1, at 16. As has been pointed out, however, in

Each of the castaways had his or her own special role on the island. Gilligan, although being mistake-prone, supplied most of the manual labor.¹⁶ The Skipper was the group's leader, just as he had been on the *Minnow*.¹⁷ Mr. Howell stood by with a large supply of cash, in case a way could be found to buy the castaways' rescue.¹⁸ Mrs. Howell gave the island culture, grace and social manners.¹⁹ Ginger relieved the perpetual boredom of the island by regularly putting on plays.²⁰ The Professor built numerous items, many of which were used to make life on the island more tolerable.²¹ Fi-

most respects the show's microcosm was quite narrow: "Of course, on *Gilligan's Island*, the castaways' differences are merely limited to socioeconomic class, intellect, sex and profession. They still share major similarities: a common race, religion, ethnic origin and nationality." GREEN, *supra* note 5, at 10-11.

In addition to wanting to create a social microcosm, it has been suggested that Schwartz also intended the castaways to represent the seven deadly sins of pride, greed, lust, anger, gluttony, envy and sloth. *Id.* at 15, 97 (claiming that the Professor represented pride, Mr. Howell greed, Ginger lust, the Skipper anger, Mrs. Howell gluttony, Mary Ann envy and Gilligan sloth).

16. STODDARD, *supra* note 5, at 71 ("Gilligan is really the man with whom we'd all like to be stranded on the island . . . What you need is Gilligan, to dig the wells and build the huts and catch the fish and take sentry duty all night.").

17. SCHWARTZ, *supra* note 1, at 51.

18. Many observers have questioned the value of having money on a desert island. See, e.g., S. ROBERT LICHTER ET AL., PRIME TIME: HOW TV PORTRAYS AMERICAN CULTURE 221 (1994) ("All his millions didn't do the blustery Thurston Howell III much good once he was stranded on 'Gilligan's Island.'"); STODDARD, *supra* note 5, at 71 ("Who needs a millionaire who won't do any work and whose money is worthless?"). In fact, however, Mr. Howell's money often proved useful. In Episode 80, entitled "The Kidnapper," for example, Don Rickles guest starred as Norbett Wiley, a high society criminal who kidnapped the castaways one at a time and released them only upon payment of a ransom (which began at \$10,000 for Mrs. Howell but quickly escalated). It was Mr. Howell who supplied, albeit reluctantly, the money needed to free each victim. STODDARD, *supra* note 5, at 262-63.

19. Thus, for example, in Episode 26, entitled "Music Hath Charms," Mrs. Howell organized the castaways into a symphony orchestra. STODDARD, *supra* note 5, at 90-92. See also GREEN, *supra* note 5, at 42 ("Mrs. Howell maintains social convention on the island, insisting that the castaways adhere to the accepted rules of conduct and civilized behavior.").

20. Ginger's shows figured prominently in several different plots. In Episode 11, entitled "Angel on the Island," for example, Ginger led the castaways in a production of *Pyramid for Two*, the Broadway play she had been scheduled to star in at the time of the shipwreck. STODDARD, *supra* note 5, at 54-55. In Episode 92, entitled "The Second Ginger Grant," Mary Ann was so star-struck while watching one of Ginger's performances that, after accidentally tripping and hitting her head on a rock, she awoke believing she was Ginger Grant. *Id.* at 294-95.

21. These included a telescope, geiger counter, sewing machine, telegraph, generator, water pump, washing machine and battery recharger. For a complete list, see JOHNSON & COX, *supra* note 2, at 114. Given the Professor's

nally, Mary Ann was in charge of the gardening, cooking and sewing.²²

Before filming of the pilot could begin, Schwartz needed to cast the seven parts. For Gilligan, he selected Bob Denver, who had just finished appearing in the CBS comedy *The Many Loves of Dobie Gillis*.²³ While in college, Denver had

handiness, it became common to ask: why couldn't he build a boat? This question ultimately became so entrenched in the public's imagination that American Greetings issued a greeting card showing the popular cartoon character Opus clutching a television and screaming, "If the Professor can make a microwave out of Gilligan's hat and two coconuts, why can't he just fix the *@#~! boat?!" The inside of the card displayed Opus lying on the now overturned television with one flipper over his face and read, "You've reduced me to this. Gad, I miss you." BERKELEY BREATHED, OPUS N' BILL (1993).

The answer to the question was that there was no iron on the island. STODDARD, *supra* note 5, at 262. Although an outcropping of ferrous oxide was discovered in Episode 8, entitled "Goodbye Island," the metal that came from it proved too soft to be made into nails. *Id.* at 49-51.

22. While this now smacks of sexism, it should be remembered that Mary Ann was the only castaway whose prior life—being raised on a farm in Kansas and membership in the Girl Scouts and the 4-H Club—made her capable of performing these vital tasks. WELLS, *supra* note 11, at 216; GREEN, *supra* note 5, at 55.

In addition to the issue of female stereotyping, *Gilligan's Island* was regularly condemned as sexist because of the revealing clothes worn by Ginger and Mary Ann. Critics forget, however, that during its very first season the show preached against the evils of sexism. In Episode 20, entitled "St. Gilligan and the Dragon," Mrs. Howell, Ginger and Mary Ann set up their own camp after growing tired of being treated like second-class citizens. STODDARD, *supra* note 5, at 78-79. While the women had no trouble living on their own, the men discovered just how hard it was to cook, clean, wash and sew:

MR. HOWELL: Excuse me, gentlemen. Did you want your dinner well done?

SKIPPER: That's fine, Mr. Howell.

MR. HOWELL: I mean *very* well done.

SKIPPER: That's O.K. with me.

MR. HOWELL: Very, *very* well done?

GILLIGAN: We don't care how well done, Mr. Howell.

MR. HOWELL: Oh, good.

GILLIGAN: What are we having for dinner?

MR. HOWELL: Ashes.

SKIPPER: I thought you said you were a good cook!

MR. HOWELL: Well, I *am* a good cook when I have a chef working for me.

WELLS, *supra* note 11, at 101. Eventually, the men realized the errors of their ways and asked the women to come back. STODDARD, *supra* note 5, at 79-80.

23. SCHWARTZ, *supra* note 1, at 50-51. In *Dobie Gillis*, which starred Dwayne Hickman as a girl-crazy teenager, Denver had played Maynard G. Krebs, Gillis' carefree beatnik friend. *Id.* The title of Denver's subsequent autobiography acknowledged both of his alter egos. See BOB DENVER, GILLIGAN, MAYNARD & ME (1993). One of Krebs' most memorable mannerisms was a shudder that would come over him whenever the word "work" was mentioned.

been a pre-law student and had considered going to law school before deciding to become an actor.²⁴

For the Skipper, Schwartz chose character actor Alan Hale, Jr.²⁵ For Mr. Howell, Schwartz picked Jim Backus, a well-known actor he had worked with on *I Married Joan*.²⁶ Once Backus was cast, CBS Vice President for Program Development (West Coast) Hunt Stromberg, Jr., suggested veteran stage and screen actress Natalie Schafer for the role of Mrs. Howell.²⁷

Three relatively unknown actors were then signed for the remaining parts, which were intended to be minor roles: John Gabriel played the Professor, Kit Smythe was Ginger and Nancy McCarthy became Bunny.²⁸

With the roles cast, filming of the pilot got underway in Hawaii in November 1963.²⁹ From the outset, things went

In Episode 56 of *Gilligan's Island*, entitled "Love Me, Love My Skipper," Mrs. Howell amusingly imitated this trait. STODDARD, *supra* note 5, at 180.

24. DAVID STORY, AMERICA ON THE RERUN: TV SHOWS THAT NEVER DIE 140 (1993). Denver later explained his decision to forsake law for acting by writing:

My brother had just finished the first year of law school. This meant that I would get all his books free and a tutor, too. Being a lawyer meant financial security, a safe life. Being an actor meant just the opposite. As September grew closer, I still hadn't made up my mind. I knew this was to be one of the bigger decisions of my life. What it came down to was which one I'd be happiest doing. I chose acting. It fascinated me. Making people laugh seemed better than getting mixed up with the law.

DENVER, *supra* note 23, at 6. See also JOHNSON & COX, *supra* note 2, at 42.

25. SCHWARTZ, *supra* note 1, at 51, 57-58. Hale took to the character of the Skipper immediately and reveled in the role until the day he died:

His universal recognition as the Skipper was his joy. Though typecast like the others after the show finished, he seemed to thrive on the identification and used it to make frequent visits to children's hospitals and to start a successful seafood restaurant on Los Angeles's La Cienega Restaurant Row, Alan Hale's Lobster Barrel.

STODDARD, *supra* note 5, at 101. The merging of Hale and the Skipper ultimately became so complete that years later, when he was sued over a business deal that had gone sour, the lawsuit's caption listed him as Alan "Skipper" Hale. See *Unruh v. Hale*, No. 85-4464C, 1989 WL 31411, at *1 (D. Kan. Mar. 23, 1989).

26. SCHWARTZ, *supra* note 1, at 58.

27. *Id.* at 60. Because she was already in her sixties when the show began, Schafer demanded—and received—a clause in her contract that promised that no extreme close ups of her face would appear in *Gilligan's Island*. *Id.* at 151. Schafer never enforced the clause, however, and close ups of her do appear in several episodes. JOHNSON & COX, *supra* note 2, at 55.

28. STODDARD, *supra* note 5, at 9, 13.

29. SCHWARTZ, *supra* note 1, at 69-70. Because of the assorted problems that were encountered, the cost of the pilot ballooned far beyond what had been

badly,³⁰ and CBS was unimpressed with the final result.³¹ Again, Schwartz was undaunted. He re-cut the pilot, made numerous changes in its format and presentation and asked CBS to take another look.³² This time things went better, and it was agreed that the pilot should be shown to a preview audience.³³

As Schwartz had hoped, the test group loved the re-cut pilot.³⁴ *Gilligan's Island* was thus hastily penciled into CBS' Fall 1964 schedule on Saturday nights at 8:30 p.m.³⁵ Procter and Gamble and Phillip Morris subsequently agreed to serve as the show's sponsors.³⁶

Work now turned to getting the series ready for its inaugural season, which would begin on September 26, 1964.³⁷ Because Gabriel, Smythe and McCarthy had been let go after completion of the pilot, Schwartz had to find new performers to play the Professor, Ginger and Mary Ann.³⁸

For the Professor, Schwartz selected Russell Johnson, an experienced film actor who regularly played villains and had also been in such cult science fiction movies as *Attack of the Crab Monsters* and *It Came from Outer Space*.³⁹ For Ginger, he hired Tina Louise, a statuesque Broadway actress.⁴⁰

With Louise on board, Schwartz decided that Mary Ann would have to be less sexy, so as to better contrast with Ginger.⁴¹ Eventually, the role was given to Dawn Wells, a relatively inexperienced actress who, although pretty (she had been Miss Nevada in 1960), was less striking than Louise.⁴² Ironically, polls today find that most men would prefer a date

anticipated and eventually reached \$175,000. JOHNSON & COX, *supra* note 2, at 17.

30. SCHWARTZ, *supra* note 1, at 69-81.

31. *See id.* at 84-87.

32. *Id.* at 87-104.

33. *Id.* at 105.

34. *Id.* at 106-07.

35. STODDARD, *supra* note 5, at 31-32.

36. SCHWARTZ, *supra* note 1, at 134. *Id.* at 134. Procter and Gamble paid \$40,000 per minute to run ads for Crest toothpaste. GREEN, *supra* note 5, at 9.

37. STODDARD, *supra* note 5, at 36.

38. SCHWARTZ, *supra* note 1, at 108.

39. JOHNSON & COX, *supra* note 2, at 5-9, 25-29.

40. Schwartz had hoped to cast Jayne Mansfield to play Ginger. Mansfield, however, turned down the role and instead continued to concentrate on her film career. ALVIN H. MARILL & PETER NAPOLITANO, BLOCKBUSTER ENTERTAINMENT GUIDE TO TELEVISION ON VIDEO 101 (1996).

41. SCHWARTZ, *supra* note 1, at 63.

42. STODDARD, *supra* note 5, at 284-86.

with Mary Ann to a date with Ginger.⁴³

The first episode of *Gilligan's Island* shown on television was entitled "Two on a Raft."⁴⁴ It drew excellent ratings⁴⁵ and, despite the press' best effort to ensure otherwise, the show's popularity increased steadily in the following weeks.⁴⁶ By the end of the season, *Gilligan's Island* stood tied for eighteenth place in the ratings, a remarkable accomplishment for a new show.⁴⁷

Nevertheless, the executives at CBS considered the castaways to be failures.⁴⁸ Thus, before the start of the next year, they moved *Gilligan's Island* to Thursday nights at 8:00 p.m.⁴⁹ In addition to the new time slot, the 1965-66 season saw the series switch from black-and-white to color.⁵⁰ This change allowed *Gilligan's Island* to take full advantage of its tropical setting.⁵¹

Although the show again proved popular and finished twenty-second in the ratings,⁵² CBS was still not satisfied and it decided to make another time slot change.⁵³ As a result, during the 1966-67 season the show aired on Monday nights at 7:30 p.m. While *Gilligan's Island* won its time slot for the third year in a row, the constant schedule changes caused it to drop out of the season's top twenty-five television shows.⁵⁴

43. *Id.* at 284; WELLS, *supra* note 11, at 175. Comparisons between Ginger and Mary Ann have become so commonplace that they eventually formed the basis of a highly memorable Budweiser beer commercial:

The guys are playing pool in a trendy-seedy pool hall . . . The topic is "Gilligan's Island." "Ginger or Mary Ann?" asks one guy. ("Ginger was a bimbo," whispers one of the girls.) "Mary Ann" is the guys' consensus. Then comes the hard question. "Mary Ann, or Jeannie?"

Joyce Millman, *X Marks the Generation*, S.F. EXAMINER, Apr. 24, 1994, at M20. See also *Television News & Notes*, BERGEN RECORD, Mar. 31, 1997, at Y6 (pointing out that college girls often tell Dawn Wells that they categorize their dates as follows: "[I]f he's a Mary Ann kind of guy, he wants a relationship. If he's a Ginger kind of guy, he wants a one-night stand.>").

44. STODDARD, *supra* note 5, at 36-37. Although every episode of *Gilligan's Island* had its own title, these titles never appeared onscreen because of time constraints. See *id.* at 2.

45. SCHWARTZ, *supra* note 1, at 135.

46. *Id.* at 168.

47. STODDARD, *supra* note 5, at 32-33.

48. See *id.* at 124.

49. *Id.*

50. *Id.* at 125.

51. *Id.*

52. *Id.* at 126.

53. STODDARD, *supra* note 5, at 232.

54. SCHWARTZ, *supra* note 1, at 202; STODDARD, *supra* note 5, at 232-33.

At the end of the 1966-67 season, plans were made to bring *Gilligan's Island* back for another year.⁵⁵ At the last minute, however, the show was canceled to make room for *Gunsmoke*, which had lost its longstanding Saturday night slot and was threatened with cancellation until rescued by William S. Paley, the Chairman of the Board of CBS.⁵⁶

During the three years that *Gilligan's Island* was in production, a total of ninety-eight episodes were made.⁵⁷ Even before the last of these had aired, the show was put into global syndication; by 1995, it had appeared, at one time or another, in seventy-four different countries.⁵⁸ Today, the show is broadcast in the United States by Ted Turner⁵⁹ and appears at least twice a day in most American cities.⁶⁰

55. SCHWARTZ, *supra* note 1, at 197.

56. *Id.* at 199-203. See also BACKUS, *supra* note 1, at 187-88 (explaining that even after it opted for *Gunsmoke*, CBS could have saved *Gilligan's Island* but was unwilling to do so because it would have meant canceling *The Lucy Show*). For a look at Paley's long reign at the helm of CBS, see ROBERT SLATER, *THIS . . . IS CBS: A CHRONICLE OF 60 YEARS* (1988).

Had the fourth season aired, the first episode would have released Tina Louise from her contract. Louise was extremely unhappy. Thus, Sherwood Schwartz planned to have her character written out of the series:

[While] Ginger is swimming in the ocean . . . [she] swims too far out and begins floundering but is saved by an old wooden lifeboat that drifts toward her. The others notice she's missing and go into the jungle to find her . . . Two days later, the castaways grow tired and return from the jungle to the community table. The radio is on, and an announcer says, "We interrupt this program to bring you startling news." "The famous screen star Ginger Grant, who was thought lost at sea, was rescued by a fishing trawler." Ginger is interviewed. She says she's happy and briefly mentions that all the *Minnow* passengers are alive and stranded on some island. Back on the island, Mary Ann asks, "I wonder why everyone can get to this island, but in all these years only one of us could get rescued?"

A Buried Treasure, ISLAND NEWS: THE OFFICIAL PUBLICATION OF THE ORIGINAL GILLIGAN'S ISLAND FAN CLUB, Summer 1996, at 14.

57. WELLS, *supra* note 11, at v.

58. FRAN W. GOLDEN, *TV ACTIONS* 323 (1996).

59. STODDARD, *supra* note 5, at 2.

60. See BACKUS, *supra* note 1, at 188 ("It is playing as we speak, in just about every language, as often as five times a day in some markets. In Los Angeles alone, on weekends, it has been on the tube back to back. As Rudyard Kipling might have said, 'The sun never sets on *Gilligan's Island*.'). See also Martin F. Nolan, *Yet Another TV "Revolution,"* BOSTON GLOBE, Apr. 5, 1997, at A11 ("[C]able is mostly home shopping channels and 50 versions of 'Gilligan's Island.'"). The show has become such a staple of syndication that in *State v. Sager*, 600 S.W.2d 541, 549 (Mo. Ct. App. 1980), a criminal defendant attempted unsuccessfully to create an alibi for himself by linking his movements to the time when *Gilligan's Island* was shown in the greater Kansas City area.

Surprisingly, the enormous success of *Gilligan's Island* in syndication has caused many hard feelings. In the early 1970s, Schwartz and United Artists (UA), the studio that had financed the show, locked horns over the latter's calculation that the series had not yet made a penny in profits. Refusing to accept UA's accounting, Schwartz filed a lawsuit against UA and spent four years in expensive litigation before finally reaching an out-of-court settlement.⁶¹

For the cast, syndication proved to be a double hardship. First, because of a clause contained in their contracts, the actors received final payment for their work in 1969. Thus, contrary to popular belief, none of them grew rich from syndication.⁶² Second, following the show's cancellation they found it extremely difficult to land other parts because they had become typecast.⁶³ While this normally occurs for a short time after the end of any hit series,⁶⁴ the unparalleled success of *Gilligan's Island* in reruns caused the problem to worsen with each passing year.⁶⁵

61. SCHWARTZ, *supra* note 1, at 205-06.

62. JOHNSON & COX, *supra* note 2, at 171-72. See also BACKUS, *supra* note 1, at 188-89 ("So how much do the seven castaways get from all this? Nada. Eppis. Nichts. Niente. Bubkis. As for me, I cry a lot.").

63. JOHNSON & COX, *supra* note 2, at 170. See also GREEN, *supra* note 5, at 13.

64. See SCHWARTZ, *supra* note 1, at 49-50; STORY, *supra* note 24, at 134.

65. Eventually, all but one of the cast members accepted what had happened to them and began looking for ways to capitalize on the characters. Most often, they found it by doing personal appearances. See JOHNSON & COX, *supra* note 2, at 178-79 (noting that such events normally occur in a "place with a tropical motif, luaus and boat races and such, where fans can meet us and take snapshots"); SCHWARTZ, *supra* note 1, at 145; WELLS, *supra* note 11, at 140.

The lone holdout was Tina Louise, the one cast member who had been unhappy appearing in the original show. Fearing that any return to her character would further typecast her, she consistently refused to recreate her role:

The other Castaways all made use of their characters after the show went off the air But not Tina. She has fought the "Ginger" label ever since the prime-time series ended in 1966. She even refused to do the voice of Ginger for the two Saturday morning animated series based on *Gilligan's Island*. Tina declined a large sum of money to appear as Ginger in the enormously successful two-hour movie, *Rescue from Gilligan's Island*. She likewise declined all offers for any subsequent *Gilligan's Island* films.

SCHWARTZ, *supra* note 1, at 145. Despite these efforts, however, Tina Louise will forever be Ginger Grant to most people:

To this day Tina Louise believes that the show ruined her life because she started out as a dramatic actress, at least in her own mind That's why Tina wouldn't do any of the two-hour [reunion] shows [but] it didn't do her any good because no matter what, when you say her

Although roundly criticized as inane during its original run,⁶⁶ *Gilligan's Island* is now considered good, clean fun that is particularly suitable for children.⁶⁷ Indeed, the show has proven so popular in its second life that it has spawned two cartoon series, three made-for-television reunion movies and an off-Broadway play.⁶⁸ The show has also inspired a number of other television comedies to air their own *Gilligan's Island* episodes.⁶⁹ At present, consideration is being given to production of a full-length film,⁷⁰ as well as a national tour for a one-act play known as *Gilligan's Island Uncensored*.⁷¹

It is impossible to overstate the influence of *Gilligan's Island* on American life: children and pets are named for it; cartoonists refer to it in such popular comic strips as *B.C.*, *Tumbleweeds*, and *Bloom County*; publications as diverse as *The New Yorker* and the *Los Angeles Times* discuss it; academic theses are written about it; and college classes are held

name, everybody says, 'Oh, Ginger on *Gilligan's Island*.'

STORY, *supra* note 24, at 134. Recently, however, Tina Louise has begun to make peace with her alter ego, admitting in an interview: "I picked out a color for new drapes in my house in L.A., and it turned out to be *ginger*. The color I liked best was *ginger*." Stef McDonald & Stephanie Williams, *Stars We Still Love*, TV GUIDE, Aug. 10-16, 1996, at 21.

66. As has been said many times, "Whenever someone needs an example of TV at its worst and most meaningless . . . they point to . . . *Gilligan's Island*." JOHN JAVNA, CULT TV: A VIEWER'S GUIDE TO THE SHOWS AMERICA CAN'T LIVE WITHOUT!! 206 (1985). See also DAVID BIANCULLI, DICTIONARY OF TELELITERACY: TELEVISION'S 500 BIGGEST HITS, MISSES, AND EVENTS 122-23 (1996) (describing the show as "stupendous stupidity" and "insipid simplicity").

67. GREEN, *supra* note 5, at 11.

68. SCHWARTZ, *supra* note 1, at xv, 207-43, 271-75. These spin-offs, which are beyond the scope of this essay, are discussed in DENVER, *supra* note 23, at 164-74; GREEN, *supra* note 5, at 13-14, 347-58; JOHNSON & COX, *supra* note 2, at 150-64; STODDARD, *supra* note 5, at 312-31; WELLS, *supra* note 11, at 19, 34, 176, 185.

69. See STODDARD, *supra* note 5, at 332-47. Among the shows to have done such episodes are *Alf* (with guest appearances by Bob Denver, Alan Hale, Russell Johnson and Dawn Wells), *Baywatch* (with guest appearances by Bob Denver and Dawn Wells), and *Roseanne* (with uncredited cameos by Bob Denver, Russell Johnson, Tina Louise, Sherwood Schwartz and Dawn Wells). *Id.* at 336-38, 341-47.

70. *Id.* at 361-62.

71. Written by John G. Peros, the play finds Ginger under investigation following the mysterious deaths of the other castaways. Breuse Hickman, *Fringe Festival: Theater on the Edge*, FLORIDA TODAY, Apr. 12, 1996, at 11G. Inspired by the movie *Basic Instinct*, the play, which has been produced several times in Orlando, Florida, by the Manhattan South Studio Theater, uses flashbacks and questions from two off-stage detectives to learn what really happened on the island. Telephone Interview with John G. Peros (July 11, 1996).

to explore its deeper meaning.⁷² In 1992, a petition bearing 30,000 names was presented to the Governor of Hawaii requesting that the island of Maui be officially renamed "Gilligan's Island."⁷³ Even Gilligan's hat has entered everyday life: although just an ordinary sailor's cap, it is common today to hear it referred to as a "Gilligan's Island hat."⁷⁴

Because of its universal familiarity, the show has found its way into a number of judicial opinions. In *Reuther v. Southern Cross Club, Inc.*,⁷⁵ for example, a scuba diver on vacation in the Cayman Islands was injured when a wave hit his dive boat.⁷⁶ When he later sued, the defendant dive shop moved for summary judgment on the ground that he had signed a broadly-worded release.⁷⁷ In denying the motion, District Judge Sarah Evans Barker began her opinion with the sentence, "Just sit right back and you'll hear a tale."⁷⁸ As longtime fans of the show know, these words are from the song that began each episode of *Gilligan's Island* (and reminded viewers of how the castaways came to be stranded on the island).⁷⁹ Judge Barker also reproduced a portion of the

72. GREEN, *supra* note 5, at 14-15; SCHWARTZ, *supra* note 1, at 244-55; WELLS, *supra* note 11, at 215.

73. ROBIN KEATS, TV LAND: A GUIDE TO AMERICA'S TELEVISION SHRINES, SETS, AND SITES 134 (1995).

74. See, e.g., *State v. Huddleston*, 912 P.2d 1068, 1069 (Wash. Ct. App. 1996) (identifying a barroom brawl participant by means of his blue "Gilligan" hat); *Howard v. State*, No. 87-252, 1988 WL 70748, at *1 (Ark. Ct. App. July 6, 1988) (recognizing the robber of a convenience store by his "Gilligan's Island" hat).

75. *Reuther v. Southern Cross Club, Inc.*, 785 F. Supp. 1339 (S.D. Ind. 1992).

76. See *id.* at 1340.

77. *Id.* at 1341.

78. *Id.* at 1340.

79. Although narrative theme songs later became a standard part of television comedies, Schwartz had a difficult time convincing CBS to use such a song on *Gilligan's Island*; eventually, he was forced to sing his proposed melody at a meeting with top network executives. SCHWARTZ, *supra* note 1, at 35-40. Schwartz subsequently credited the success of his impromptu performance with getting the show on the air. *Id.* at 41 ("In that critical meeting, my ability to write a song and carry a tune, something for which I had no training or experience, turned the tide.").

As originally written, the song did not mention either the Professor or Mary Ann by name, but instead referred to them as "and the rest." This was due to a clause in Tina Louise's contract that guaranteed her the final spot in the song and prohibited anyone from coming after her. Keith Marder, *For Wells, Life After Gilligan Has Been Pretty Smooth Sailing*, ALBANY TIMES UNION, May 19, 1995, at C9. After the first season, however, Louise's contract was renegotiated and the song was rewritten. JOHNSON & COX, *supra* note 2,

song's lyrics in one of her footnotes⁸⁰ and compared the occupants of the dive boat to the show's characters.⁸¹ Similar references can be found in *Zych v. Unidentified, Wrecked and Abandoned Vessel*⁸² and *Sands v. One Unnamed 23' Seacraft, Pleasure Vessel*.⁸³

III. LAW ON THE ISLAND

As noted at the outset of this essay, numerous episodes of *Gilligan's Island* contain legal references, and many employ legal themes as their central storyline. In Episode 7, entitled "The Sound of Quacking,"⁸⁴ for example, Gilligan dreams that he is Marshal Gilligan, a lawman of the Old West.⁸⁵ Despite the demands of a lynch mob (led by the Professor and Mr. Howell), he refuses to surrender the object of the crowd's bloodlust: a duck they want to turn into dinner.

In Episode 13, entitled "Three Million Dollars More or Less,"⁸⁶ Gilligan wins \$3 million from Mr. Howell in a golf game.⁸⁷ When it comes time to pay, Mr. Howell uses a convoluted explanation of the federal tax laws to convince Gilligan that receiving stock in a (worthless) oil company is better than getting cash.

In Episode 16, entitled "Plant You Now, Dig You Later,"⁸⁸

at 84. See also GREEN, *supra* note 5, at 12. For a further look at the making of the song, see JON BURLINGAME, TV'S BIGGEST HITS: THE STORY OF TELEVISION THEMES FROM "DRAGNET" TO "FRIENDS" 166-69 (1996).

80. *Reuther*, 785 F. Supp. at 1340 n.1.

81. *Id.* at 1340-41 & n.2.

82. *Zych v. Unidentified, Wrecked and Abandoned Vessel*, 19 F.3d 1136, 1138 (7th Cir. 1992), *cert. denied*, 513 U.S. 961 (1994).

83. *Sands v. One Unnamed 23' Seacraft, Pleasure Vessel*, 959 F. Supp. 1488, 1490 (M.D. Fla. 1997).

84. A synopsis of this episode appears in DENVER, *supra* note 23, at 104-06; GREEN, *supra* note 5, at 117-19; JOHNSON & COX, *supra* note 2, at 195-96; SCHWARTZ, *supra* note 1, at 281; WELLS, *supra* note 11, at 225; STODDARD, *supra* note 5, at 47-49; WELLS, *supra* note 11, at 225.

85. This was the first of what turned out to be numerous dream sequences. JOHNSON & COX, *supra* note 2, at 196. It has been reported that the cast looked forward to such sequences because of the opportunity they provided to step out of character. *Id.* at 124-28. See also WELLS, *supra* note 11, at 62.

86. A synopsis of this episode appears in DENVER, *supra* note 23, at 110; GREEN, *supra* note 5, at 133-34; JOHNSON & COX, *supra* note 2, at 197; SCHWARTZ, *supra* note 1, at 284; STODDARD, *supra* note 5, at 58-60; WELLS, *supra* note 11, at 225.

87. Being an avid golfer in real life, Backus repeatedly tried to get this episode rewritten so that it would at least look like the game had been close. DENVER, *supra* note 23, at 110.

88. A synopsis of this episode appears in DENVER, *supra* note 23, at 112;

Gilligan unearths a treasure chest while digging a barbecue pit for Mr. Howell. When Mr. Howell claims that he owns the chest because Gilligan found it while working for him, the Skipper insists that Gilligan is the owner because he discovered it. To settle the matter, a courtroom (complete with a judge's bench, witness stand and an American flag made out of flowers and starfish) is built and a trial held before the Professor (who substitutes one of Mr. Howell's capes for a judge's robe). Following a hard-fought contest,⁸⁹ he rules that the chest should be treated like the island's other natural resources and, as such, belongs to all the castaways. Unwilling to share the chest, Mr. Howell immediately buys out the other castaways for \$500,000. Much to his chagrin, the chest is then opened and found to contain nothing but old cannonballs.⁹⁰

In Episode 27, entitled "New Neighbor Sam,"⁹¹ the castaways become terrified after overhearing a group of gangsters. When it turns out that the "voices" are coming from a parrot, the Professor and the Skipper decide to interrogate the bird to learn what else it knows. Jumping to its defense, Gilligan insists that the bird be allowed to speak to an attorney before answering any questions.

In Episode 38, entitled "Beauty Is as Beauty Does,"⁹² the castaways hold a beauty contest to select Miss Deserted Island. When the others are unable to agree upon a winner from among Ginger, Mary Ann and Mrs. Howell, Gilligan casts the deciding ballot for Gladys, a chimpanzee he had found on the island. His reason for doing so rests on solid legal grounds: as the tournament's only native, Gladys is the

GREEN, *supra* note 5, at 139-41; JOHNSON & COX, *supra* note 2, at 199; SCHWARTZ, *supra* note 1, at 285; STODDARD, *supra* note 5, at 71-73; WELLS, *supra* note 11, at 225.

89. The trial became so contentious that by the time it ended, Mr. Howell was suing the Skipper for witness tampering, the Skipper was suing Mr. Howell for attempted bribery and witness tampering, and Mr. Howell and Ginger were suing the Skipper for libel and slander. GREEN, *supra* note 5, at 139-40.

90. The castaways subsequently built a wooden bowling alley to make use of the balls. *Id.* at 140.

91. A synopsis of this episode appears in DENVER, *supra* note 23, at 121; GREEN, *supra* note 5, at 166-67; JOHNSON & COX, *supra* note 2, at 203; SCHWARTZ, *supra* note 1, at 288; STODDARD, *supra* note 5, at 92-93; WELLS, *supra* note 11, at 226.

92. A synopsis of this episode appears in GREEN, *supra* note 5, at 190-91; JOHNSON & COX, *supra* note 2, at 206; SCHWARTZ, *supra* note 1, at 291; STODDARD, *supra* note 5, at 133-34; WELLS, *supra* note 11, at 226.

sole contestant eligible to win the title.

In Episode 41, entitled "The Sweepstakes,"⁹³ Mr. Howell dreams that he is a prospector in the Old West who, after forty years of searching, has finally struck gold. Receiving a receipt for \$1 million from the local assayer (played by the Professor), the grizzled explorer proceeds to indulge in the town's pleasures. But when it comes time to settle his accounts, he discovers that he has lost the all-important receipt. Luckily for Mr. Howell, the dream ends just before a lynch mob can administer its own form of frontier justice.

In Episode 52, entitled "Not Guilty,"⁹⁴ a crate washes up on the island. Inside are some old newspapers from Honolulu which report that someone aboard the *Minnow* might be a murderer because each had been shopping in the same store on the same day as Randolph Blake, a man who turned up dead just as the *Minnow* had set sail from Honolulu. With their imaginations running wild, the Professor proposes that the castaways reenact the scene in the store to determine the killer's identity. To their great relief, doing so proves that the incident had been an accident: slamming the store's door had released the trigger of the spear gun that had killed Blake.

In Episode 67, entitled "Mr. and Mrs.?",⁹⁵ a radio news bulletin informs the castaways that Buckley Norris, the minister who had married the Howells, had never been ordained. As a result, their marriage is a legal nullity. To rectify the situation, Ginger suggests that the Skipper remarry the Howells. When the Professor points out that sea captains can only celebrate marriages aboard ships, plans are made to hold the wedding on a raft in the middle of the island's la-

93. A synopsis of this episode appears in GREEN, *supra* note 5, at 197-98; JOHNSON & COX, *supra* note 2, at 208-09; SCHWARTZ, *supra* note 1, at 291; STODDARD, *supra* note 5, at 138-41; WELLS, *supra* note 11, at 226.

94. A synopsis of this episode appears in GREEN, *supra* note 5, at 223-25; JOHNSON & COX, *supra* note 2, at 211; SCHWARTZ, *supra* note 1, at 294; STODDARD, *supra* note 5, at 171-73. WELLS, *supra* note 11, at 227.

95. A synopsis of this episode appears in GREEN, *supra* note 5, at 264-66; JOHNSON & COX, *supra* note 2, at 216; SCHWARTZ, *supra* note 1, at 298; STODDARD, *supra* note 5, at 208-10; WELLS, *supra* note 11, at 227. It should be noted that a disagreement exists as to this episode's exact title. While Schwartz, Wells and Stoddard claim that it was called "Mr. and Mrs.?", Green lists it as "Mr. and Mrs. ????" and Johnson & Cox refer to it as "Mr. and Mrs.???" Because the names of the individual episodes never appeared on camera, it is impossible to know which title is the correct one.

goon. But before the Skipper is able to perform the ceremony, the Howells begin to bicker and call off the wedding. By the end of the show, however, they have made up and have also learned that, due to a typographical error, the original radio report had named the wrong minister. Hence, their marriage has been legal all along.

In Episode 74, entitled "Where There's a Will,"⁹⁶ Mr. Howell rewrites his will to thank the others for their attentions during a recent illness. The new instrument leaves a large bequest to each of the castaways: Ginger receives a diamond mine, the Professor is given a railroad, Mary Ann is promised two plantations and a fleet of cars to travel between her properties, Gilligan is granted an oil well and the Skipper becomes the owner of Denver. Through a series of miscues, Mr. Howell subsequently becomes convinced that the castaways are planning to kill him to collect their inheritances. All is put right, however, when he later learns that the "old bore" they intend to kill is a wild boar to be served at a dinner honoring him for his generosity.

In Episode 81, entitled "And Then There Were None,"⁹⁷ Gilligan has yet another dream. In a London courtroom in Victorian England, sweet Dr. Gilligan stands accused of turning into the monstrous Mr. Hyde whenever food is mentioned. A riotous trial features the Skipper as the court's bailiff, Mrs. Howell as Gilligan's defense attorney, the Professor as the relentless prosecutor, Mr. Howell as the amusingly named Judge Lord Anthony Armstrong Hanging, Ginger as the crown's star witness and Mary Ann as a character witness for the accused.

In Episode 83, entitled "Gilligan Goes Gung Ho,"⁹⁸ the castaways decide they need greater law-and-order. Therefore, they appoint the Skipper to be their sheriff and Gilligan to be his deputy. Adopting a "by-the-book" approach, Gilligan soon has the castaways under arrest. Unfortunately, his zeal

96. A synopsis of this episode appears in GREEN, *supra* note 5, at 285-86; JOHNSON & COX, *supra* note 2, at 221; SCHWARTZ, *supra* note 1, at 301; STODDARD, *supra* note 5, at 243-45; WELLS, *supra* note 11, at 228.

97. A synopsis of this episode appears in GREEN, *supra* note 5, at 304-05; JOHNSON & COX, *supra* note 2, at 225-26; SCHWARTZ, *supra* note 1, at 307; STODDARD, *supra* note 5, at 264-67; WELLS, *supra* note 11, at 228.

98. A synopsis of this episode appears in GREEN, *supra* note 5, at 308-10; JOHNSON & COX, *supra* note 2, at 226; SCHWARTZ, *supra* note 1, at 307-08; STODDARD, *supra* note 5, at 269-71; WELLS, *supra* note 11, at 228.

costs them one of their best chances to be rescued: while they languish in jail, a rescue plane flies over the island.

Finally, in Episode 85, entitled "Court Martial,"⁹⁹ a radio broadcast informs the castaways that a board of inquiry convened to investigate the loss of the *Minnow* has found the Skipper guilty of negligence. To prove to the Skipper that he was not at fault, the Professor suggests the castaways reenact the final hours of the storm. Doing so reveals that it was Gilligan's failure to secure the anchor to the boat that caused the sinking. This discovery leads both the Skipper and Gilligan to experience unbearable guilt. Just as things are at the blackest, however, good news arrives: after further study, the board has changed its verdict and concluded that the real cause of the wreck was a faulty weather report that had failed to predict the storm.

IV. THE PROFESSOR AS LAWYER

As can be seen from the foregoing descriptions, many of the show's law-centered episodes rely heavily on the Professor. As a result, Sherwood Schwartz gave the Professor a strong legal background, which he fashioned from a number of real-life lawyers as well as the popular CBS drama *Perry Mason*.¹⁰⁰

According to the show's biography, the Professor was born in Cleveland, Ohio.¹⁰¹ By the time he reached the age of twenty-five, he had earned six college degrees.¹⁰² Interestingly, only four of the degrees were ever identified on the show: a B.S. from the University of California at Los Angeles (UCLA), a B.A. from the University of Southern California (USC), an M.A. (in psychology) from Southern Methodist University (SMU), and a Ph.D. from Texas Christian University (TCU).¹⁰³ While we cannot be sure, it is quite possible that one of the Professor's two remaining degrees was a law degree, for UCLA, USC, and SMU all have law schools.¹⁰⁴

99. A synopsis of this episode appears in GREEN, *supra* note 5, at 313-14; JOHNSON & COX, *supra* note 2, at 227; SCHWARTZ, *supra* note 1, at 309; STODDARD, *supra* note 5, at 273-75; WELLS, *supra* note 11, at 228.

100. Telephone Interview with Sherwood Schwartz (June 19, 1997).

101. JOHNSON & COX, *supra* note 2, at 88.

102. *See id.*

103. *Id.* *See also* GREEN, *supra* note 5, at 51.

104. *See* BARRON'S GUIDE TO LAW SCHOOLS 285-86, 321-22, 383-84 (Gary A. Munneke ed., 12th ed. 1996).

Even without a law degree, however, it is clear that the Professor knew a great deal about the legal system. Although principally a botanist (he boarded the *Minnow* to write a book to be called *Fun with Ferns*),¹⁰⁵ the show's biography credits the Professor with being "accomplished" in law.¹⁰⁶ In his book about *Gilligan's Island*, Joey Green noted: "He is clearly the castaways' guiding light and silent leader. He's unquestionably the most intelligent castaway, preferring to sit quietly in the background and let the others think the Skipper runs the island. But when it comes to *judicial affairs*, life-threatening matters or possible rescue attempts, the Professor unobtrusively assumes leadership."¹⁰⁷

Further proof of the Professor's acquaintance with the law can be gleaned from the fact that one of the texts he brought with him on the cruise was *The Criminal Law*.¹⁰⁸

V. NEWTON MINOW AND THE MINNOW

A final connection between *Gilligan's Island* and the law can be found in the name of the castaways' ship.

On May 9, 1961, Newton N. Minow, the recently-appointed Chairman of the Federal Communications Commission (FCC), gave one of the most famous speeches in American history. Appearing at the 39th Annual Convention of the National Association of Broadcasters (NAB) in Washington, D.C., Minow decried the "vast wasteland" that television had become and demanded that the networks take more responsibility for the content of the shows they aired.¹⁰⁹

Almost overnight, Minow's address caused every facet of television production to be rethought and reshaped. In Sherwood Schwartz's estimation, this retooling sounded a death knell for programming independence and integrity:

"The year [that I began working on *Gilligan's Island*] was 1963, and the three networks were already beginning to use the dictatorial power Newton Minow, Chairman of the Federal Communications Commission, had handed to

105. JOHNSON & COX, *supra* note 2, at 88.

106. *See id.*

107. GREEN, *supra* note 5, at 51 (emphasis added).

108. *Id.* at 54.

109. The full text of the speech can be found at NEWTON N. MINOW, *EQUAL TIME: THE PRIVATE BROADCASTER AND THE PUBLIC INTEREST* 48-64 (Lawrence Laurent ed., 1964).

them." Mr. Minow's famous "vast wasteland" speech, in 1961, at the NAB convention, was brought on by the quiz show scandals, payola investigations and the general low esteem in which television was held. Unintentionally, probably, that speech had a far more devastating impact than the conditions he was criticizing.

In effect, the chairman of the FCC, speaking for the government, took the position that the networks were responsible for everything they broadcast. The shocking aftermath of that designation of responsibility by Mr. Minow and the FCC gave ABC, CBS, and NBC absolute authority over everything that comes into your living room on network television.¹¹⁰

To "punish" Minow for what he had wrought, Schwartz decided to name the show's ill-fated ship after him. Thus, in a subtle play on words, the castaways' vessel became the *Minnow*:

No one can say "Gilligan's Island" was without hidden meaning. I was surprised to find out recently from Sherwood Schwartz that our shipwrecked vessel, the S.S. *Minnow*, was actually named for someone. It was so christened in dubious honor of the man who, Sherwood insists, "ruined television."¹¹¹

It is rather ironic that Minow's brilliant legal career¹¹² may ultimately be overshadowed by his unflattering connec-

110. SCHWARTZ, *supra* note 1, at xv-xvi. Although the emergence of cable television and the advent of several new networks have served to reduce their power to a degree, CBS, NBC and ABC continue to wield enormous influence. See also DENNIS W. MAZZOCCO, NETWORKS OF POWER: CORPORATE TV'S THREAT TO DEMOCRACY (1994).

111. JOHNSON & COX, *supra* note 2, at 90-91. See also GREEN, *supra* note 5, at 4. Given his feelings about Minow, Schwartz took great pleasure when it came time to prepare his stand-in:

In order to make the boat really wrecked-looking, we pulled it up on the beach and workmen with huge sledge hammers began to smash gaping holes in the sides. I was watching this procedure, to make sure the holes were big enough and in the appropriate places in the boat.

SCHWARTZ, *supra* note 1, at 77.

112. Minow attended law school at Northwestern University, where he served as editor-in-chief of the law review and was inducted into the Order of the Coif honor society. Following graduation, he clerked for Chief Justice Fred M. Vinson of the United States Supreme Court before embarking on a long and successful career, the last thirty years of which have been spent with the Chicago law firm of Sidley & Austin. 2 WHO'S WHO IN AMERICA 1996, 2906 (Harriet Tiger ed., 50th ed. 1996).

tion with *Gilligan's Island*.¹¹³ For despite Schwartz's claim that he destroyed television, Minow actually has spent much of his life trying to improve it. In the 1960s, he championed the "the fairness doctrine," which requires the networks to present differing viewpoints.¹¹⁴ In the 1970s, he sought to curb the White House's power over television.¹¹⁵ In the 1980s, he tried to reform the nation's system of presidential television debates.¹¹⁶ And in the 1990s, he has called on the government to protect children from the abuses of television.¹¹⁷

VI. CONCLUSION

In retrospect, it is not surprising to discover a strong connection between *Gilligan's Island* and the law. After all, one would be hard pressed to find a group of characters more in need of a lawyer. The Howells' vast wealth, far-flung enterprises, and numerous charitable interests probably kept busy a small army of corporate, international, probate and tax lawyers. As a movie star, Ginger undoubtedly had her contracts negotiated by a sharp-eyed entertainment attorney. The Professor's numerous inventions must have led him more than once to the offices of a knowledgeable patent lawyer. As a professional mariner, the Skipper surely knew at least one able admiralty attorney.¹¹⁸ Gilligan's bungling probably caused him to be the target of numerous tort lawsuits and the steady client of a good defense firm. Indeed, only Mary Ann, as the girl next door, appears to have had no special

113. Minow, however, holds no grudges:

The *S.S. Minnow* has made me immortal. I ha[d] told my kids to put on my tombstone, "on to a vaster wasteland." I think I will amend it to say "on to a vaster wasteland on the *S.S. Minnow*."

Letter from Newton N. Minow, Esq., to the author (May 20, 1997) (on file with the author).

114. See generally NEWTON N. MINOW, *EQUAL TIME: THE PRIVATE BROADCASTER AND THE PUBLIC INTEREST* (Lawrence Laurent ed., 1964).

115. See NEWTON N. MINOW ET AL., *PRESIDENTIAL TELEVISION* (1973).

116. See NEWTON N. MINOW & CLIFFORD M. SLOAN, *FOR GREAT DEBATES* (1987).

117. See NEWTON N. MINOW & CRAIG L. LAMAY, *ABANDONED IN THE WASTELAND: CHILDREN, TELEVISION, AND THE FIRST AMENDMENT* 207 (1995).

118. It has been suggested that the Skipper also could have used the services of a good First Amendment lawyer. See Marianne M. Jennings, *A Primer for the Constitutionally Impaired*, 32 DUQ. L. REV. 743, 759 n.133 (1994) ("[A]s we all know, the Skipper had a chilling effect on Mary Ann and the Professor who never did get to engage in obscene speech or conduct.").

need for a lawyer—a trait shared by many Americans.¹¹⁹

119. See also Roger C. Cramton, *Delivery of Legal Services to Ordinary Americans*, 44 CASE W. RES. L. REV. 531, 541 (1994) ("For most Americans, the exposure to lawyers is very infrequent. One-third have never consulted a lawyer, and more than another third have consulted a lawyer on only one matter. Only about 10% of Americans report professional exposure to three or more lawyers during their lifetimes.").
